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TOWNSEND and TOWNSEND and CREW LLP

By _____

Harry
Jul. 28, 01 PATENT
Attorney Docket No. 017634-000513US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian Murphy et al.

Application No.: 09/444,221

Filed: November 19, 1999

For: PRODUCTION OF ATTENUATED
RESPIRATORY SYNCYTIAL VIRUS
VACCINES FROM CLONED
NUCLEOTIDE SEQUENCES

Examiner: Brenda Brumback

Art Unit: 1642

RESPONSE TO RESTRICTION
REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed May 17, 2001, Applicants elect to prosecute claims 63-76, and 90-145, identified by the Office as corresponding to Group I. No acknowledgment or representation is made by this election regarding the relationship of the pending claims as patentably distinct, or non-distinct, subjects.

With respect to the species election requirement for claims 63, 127, and 146, Applicants elect to prosecute as exemplary species isolated recombinant RSV having an introduction of a translation termination codon. This election is also made without acknowledgment or representation regarding the relationship of the pending claims as patentably distinct, or non-distinct, subjects.

Attorney Docket No. 017634-000513US

PATENT

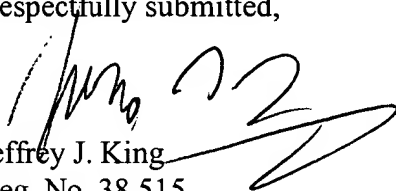
Application No.: 09/444,221

Page 2

With respect to the species election requirement for claims 131-145, Applicants elect to prosecute as exemplary species isolated recombinant RSV having one or more nucleotide changes that modulate expression of a selected gene through introduction of a translation termination codon.

If the Examiner has any questions or requires further information, she is invited to call the undersigned at (206) 467-9600.

Respectfully submitted,



Jeffrey J. King
Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200
Fax (415) 576-0300

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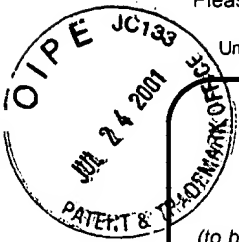
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/444,221	
	Filing Date	November 19, 1999	
	First Named Inventor	Murphy, Brian R.	
	Group Art Unit	1642	
	Examiner Name	B. Brumback	
Total Number of Pages in This Submission	1	Attorney Docket Number	017634000513

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm and Individual name	Townsend and Townsend and Crew LLP Jeffrey J. King Reg No. 38,515
Signature	
Date	July 15, 2001

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Typed or printed name	Wendy Walton
Signature	Date July 17, 2001

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